

### **Remarks**

Claims 1-21 were pending in the above-identified application when last examined. Claims 1-21 are currently rejected. Claims 1-21 are presented for reconsideration and allowance.

### **Claim Rejection under 35 U.S.C. § 103**

The Examiner rejected claims 1, 2 and 15 under 35 U.S.C. 103(a) as being unpatentable over Nagata et al. (US 2003/0076766 A1) in view of Minott (US 4444464). Applicants respectfully traverse the rejection.

With regard to claims 1 and 15, claims 1 and 15 require at least a first beam splitter mount being coupled to the second beam splitter mount by a deformable connection. Neither Nagata nor Minott teach or suggest either individually or in combination a first beam splitter mount being coupled to a second beam splitter mount by a deformable connection. The Examiner admits that Nagata fails to specifically disclose a deformable connection between first and second beam splitter mounts. Current Action, page 2.

The Examiner further states that Minott discloses the use of a deformable (rigid) connection between two optical components (col. 4, lines 19-20). Applicants disagree with the Examiner's statement. Minott teaches away from the use of a deformable connection between two optical components. Rather, Minott teaches that spherical mirrors 16, 18 be connected rigidly as for example with epoxy type bonding cement 56 applied between parallel acute edges 58 and 60 (col. 4, lines 16-19). The use of an epoxy type bonding cement would not allow the second beam splitter mount under the application of an

external force to be moved into a desired position such that the position would be maintained once the external force is removed.

Neither Nagata nor Minott provide any teaching, whatsoever, of Applicants' claimed use of a deformable connection between first and second beam splitter mounts. Furthermore, Minott teaches away from the use of a deformable connection between two optical components. For at least the reasons given above, Applicants request reconsideration and withdrawal of the rejection of claims 1 and 15 under 35 U.S.C. § 103(a).

Dependent claim 2 further defines patentably distinct claim 1. Therefore, dependent claim 2 is also believed to be allowable. For at least this reason, Applicants request reconsideration and withdrawal of the rejection of claim 2 under 35 U.S.C. § 103(a).

Examiner rejected claims 3, 4, 6-10, 12-14 and 16-21 under 35 U.S.C. 103(a) as being unpatentable over Nagata et al. (US 2003/0076766 A1) in view of Minott (US 444464) and further in view of Curbelo (5671047). Applicants respectfully traverse the rejection.

Dependent claims 3, 4, 6-10 and 12-14 further define patentably distinct claim 1. Therefore, dependent claims 3, 4, 6-10 and 12-14 are also believed to be allowable. For at least this reason, Applicants request reconsideration and withdrawal of the rejection of claims 3, 4, 6-10 and 12-14 under 35 U.S.C. § 103(a).

Dependent claims 16-21 further define patentably distinct claim 15. Therefore, dependent claims 16-21 are also believed to be allowable. For at least this reason,

Applicants request reconsideration and withdrawal of the rejection of claims 16-21 under 35 U.S.C. § 103(a).

Examiner rejected claims 5 and 11 under 35 U.S.C. 103(a) as being unpatentable over Nagata et al. (US 2003/0076766 A1) in view of Minott (4444464) in view of Curbelo (US 5671047) as applied to claim 1 above, and further in view of Zhao (2001/0053024 A1). Applicants respectfully traverse the rejection.

Dependent claims 5 and 11 further define patentably distinct claim 1. Therefore, dependent claims 5 and 11 are also believed to be allowable. For at least this reason, Applicants request reconsideration and withdrawal of the rejection of claims 5 and 11 under 35 U.S.C. § 103(a).

### **Conclusion**

Applicants respectfully submit that Applicants' pending claims (1-21) are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby requested.

Respectfully submitted,

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/John Pessetto/

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